

Applicants: Raskin *et al.*

**Application Serial No.: 09/929,328**

Filed: August 13, 2001

**Title:** Elicited Plant Products

Group Art Unit: 1651

**Examiner: Vera Afremova**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Date: May 1, 2003

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**AMENDMENT AND REPLY PURSUANT TO 37 C.F.R. § 1.111**

TECH CENTER 1600/2900

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action dated November 1, 2002, the Patent Office rejected claims 1-26 variously under 35 U.S.C. § 112, second paragraph, as being indefinite. With respect to the prior art, claim 1 has been rejected under 35 U.S.C. §102(b) as assertedly anticipated by U.S. Patent No. 5,374,627 (Ito *et al.*). Claims 1-5, 8, 10, 22, 23, and 26 have been rejected under 35 U.S.C. §102(b) as assertedly anticipated by U.S. Patent No. 5,407,816 (Bringi *et al.*). Claims 1-5, 7-10, 22, 23, and 26 have also been rejected under 35 U.S.C. §103(a) as assertedly obvious over U.S. Patent No. 5,407,816 (Bringi *et al.*) in view of U.S. Patent No. 5,260,875 (Hoffman *et al.*) and Staba, *Plant Tissue Culture as a Source of Biochemicals*, CRC Press, Inc., Boca Raton, Florida, pp. 7 and 237 (1980). Claims 6 and 24 have been rejected under 35 U.S.C. §103(a) as assertedly obvious over Bringi *et al.* in view of Hoffman *et al.*, Staba, and U.S. Patent No. 4,871,574 (Yamazaki *et al.*). Finally, claims 11-21 and 25 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bringi *et al.*, in view

of Hoffman *et al.*, Staba, Stevens *et al. Phytochemistry*, 39(4):805-813 (1995), and U.S. Patent No. 3,810,990 (Jurd *et al.*). The Applicant respectfully requests reconsideration of the application in view of the following amendment and remarks. This amendment and response is timely filed as it is accompanied by a petition for an extension of time and the requisite fee.